

# EXHIBIT 139

1 UNITED STATES DISTRICT COURT  
2 MIDDLE DISTRICT OF TENNESSEE  
3

4 NIKKI BOLLINGER GRAE, Individually  
and on Behalf of All Others  
5 Similarly Situated,  
6 Plaintiff, Civil Action No.  
7 vs. 3:16-cv-02267  
8 CORRECTIONS CORPORATION OF  
AMERICA, ET AL.,  
9  
10 Defendants.

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11  
12 CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER  
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14 VIDEOTAPED DEPOSITION OF JUSTIN MARLOWE, Ph.D.  
15

16 Conducted virtually via remote videoconference  
17 October 16, 2020  
18  
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20  
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23 Reported by:  
Misty Klapper, RMR, CRR

24 Job No.: 10073529  
25

1 UNITED STATES DISTRICT COURT  
2 MIDDLE DISTRICT OF TENNESSEE  
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4 NIKKI BOLLINGER GRAE, Individually  
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AMERICA, ET AL.,

9 Defendants.  
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17 Videotaped deposition of JUSTIN MARLOWE, Ph.D., taken  
18 on behalf of Plaintiff, via Zoom remote videoconference,  
19 beginning at 8:35 a.m. PST on Friday, October 16, 2020,  
20 before Misty Klapper, RMR, CRR.  
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24  
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## 1 APPEARANCES:

2 (ALL APPEARANCES VIA ZOOM REMOTE VIDEOCONFERENCE)

3 ON BEHALF OF PLAINTIFF:

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14 AND

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18  
19 ALSO PRESENT: DeSHAWN WHITE, VIDEO OPERATOR

1           The court reporter may now swear  
2           and/or affirm the deponent.

3           MS. REPORTER: One moment.

4           Whereupon:

5           JUSTIN MARLOWE, PH.D.,  
6           was called for examination, and, after being duly  
7           sworn, was examined and testified as follows:

8           MS. REPORTER: Thank you.

9           You may proceed.

10          EXAMINATION BY COUNSEL FOR PLAINTIFF

11          BY MS. RADCLIFFE:

12          Q.    Good morning, Mr. Marlowe. Could you  
13          please spell your name for the record?

14          A.    Sure.

15          Justin, J-U-S-T-I-N, Marlowe,  
16          M-A-R-L-O-W-E.

17          Q.    And where do you currently reside?

18          A.    Chicago, Illinois.

19          Q.    And have you been deposed before?

20          A.    Yes.

21          Q.    How many times?

22          A.    Twice, once as an expert and once in  
23          a nonprofessional matter.

24          Q.    And what did the nonprofessional  
25          matter relate to?

1 correct?

2 MS. RADCLIFFE: 54.

3 VIDEO OPERATOR: 54.

4 I don't know if I have a 54 here.

5 I'm seeing 53 and 55. I don't have a 54.

6 MS. RADCLIFFE: Oh, I see. You're

7 right about that. Hold on one second.

8 Sorry for my inability.

9 VIDEO OPERATOR: No, you're fine.

10 Should we -- should we stay on the record?

11 MS. RADCLIFFE: Yep. It will just

12 take me one second.

13 VIDEO OPERATOR: Okay.

14 MS. RADCLIFFE: Okay. It's 53.

15 Apologize.

16 VIDEO OPERATOR: Okay. Awesome. I

17 have 53.

18 Okay. There we go.

19 MS. RADCLIFFE: And we'll mark that

20 as Exhibit 550.

21 (Thereupon, Marlowe Exhibit

22 Number 550 was marked for

23 identification.)

24 BY MS. RADCLIFFE:

25 Q. Do you recognize this document,

1 Mr. Marlowe?

2 MS. GRANT: Can we also send that  
3 through the chat, please?

4 VIDEO OPERATOR: Yes, ma'am. Let  
5 me get this ready for you.

6 MS. GRANT: Thank you.

7 VIDEO OPERATOR: Let me -- okay.  
8 There you go.

9 BY MS. RADCLIFFE:

10 Q. Mr. Marlowe, do you recognize what's  
11 been marked as Exhibit 550 to be the working  
12 paper referenced in Appendix C to your report by  
13 Simon Hakim and Erwin Blackstone?

14 A. Yes.

15 Q. And that's dated April 29, 2013?

16 A. Yes.

17 Q. Okay.

18 MS. RADCLIFFE: You can go ahead  
19 and put that aside. If you could pull up  
20 tab 85, please.

21 VIDEO OPERATOR: Okay.

22 (Thereupon, Marlowe Exhibit  
23 Number 551 was marked for  
24 identification.)  
25

1 BY MS. RADCLIFFE:

2 Q. So you -- you would not have seen  
3 this document, perhaps, before. So I guess I  
4 should ask you:

5 Have you reviewed documents between  
6 Drs. Hakim and Blackstone and anyone at CCA?

7 A. No.

8 Q. What about E-mails between  
9 Drs. Blackstone and -- and Hadim (sic) to CCA's  
10 PR firm, Hillenby?

11 A. No.

12 Q. Okay. Do you see in this document  
13 that there's a reference to a CCA influencer  
14 meeting with Drs. Hakim and Blackstone?

15 A. In the first bullet point?

16 Q. Yes.

17 A. Yes.

18 Q. Okay.

19 MS. RADCLIFFE: Okay. You can go  
20 ahead and put that aside.

21 BY MS. RADCLIFFE:

22 Q. Oh, let me just ask you one thing.

23 The -- the E-mail is to Tony Grande.

24 Do you know Tony Grande from CCA?

25 A. No.




CERTIFICATE OF NOTARY

I, MISTY KLAPPER, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to typewriting by me; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Further, that if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript [ X ] was [ ] was not requested.

Dated: October 28, 2020

  
\_\_\_\_\_  
Misty Klapper, RMR, CRR  
and Notary Public